IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE TWENTY SEVENTH DAY OF APRIL
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE B. SUDERSHAN REDDY

and
THE HON'BLE MR JUSTICE C.V.RAMULU

WRIT PETITION NO : 11291 of 2004

Between:

Sri Gosamarakshana Punyaasramam, Rep. by its President Devarasetty Venkata Subba Rao, S/o. Kottaiah, Aged 61 Years, Ex- Sarpanch, Occ: Social Service, R/o. Sattenapalli - 522 403, Guntur District.

..... PETITIONER

AND

1 The Municipal Commissioner, Sattenapalli Municipality, Sattenapalli, Guntur District.
2 The Director of Municipal Administration, Government of A.P., Hyderabad.
3 The District Collector, Guntur District, Guntur.

..RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court may be pleased to issue a Writ order or direction, more particularly one in the nature of Writ of Mandamus declaring the action of the 1st Respondent- Municipality in demanding the Property Tax from the Petitioner-Society "Sri Gosamrakshana Punyaasramam", Sattenapalli for the premises located at Door No. 1-1-18, with Assessment No.13783 of Sattenapalli as illegal, arbitrary, unconstitutional and against to the principles of natural justice.

Counsel for the Petitioner: MR.B.CHINNAPA REDDY

Counsel for the Respondent No.1: GP FOR MUNCIPAL ADMN. & URBAN DEV.

Counsel for the Respondents 2 and 3: SRI D.SRINIVAS

The Court made the following:

ORDER: (Per BRSR,J)

We have practically heard the writ petition and perused the counter affidavits filed by the Government as well as the Municipality.

The learned counsel for the petitioner after volume of questions from the Court seeks leave of this Court to unconditionally withdraw this writ petition, which means the petitioner can never raise the issues raised in the present writ petition, and rightly so, in our considered opinion.

The writ petition shall accordingly stand dismissed without any order as to costs. Consequently, the interim order granted by this Court is vacated facilitating the first respondent-Municipality to proceed further forthwith in the matter for realization of the property tax.

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B. SUDERSHAN REDDY, J.

Date: 27/04/2005

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C.V. RAMULU, J.

Note: Dispatch copy of

the order by 29.04.2005.

(B/o)

GS/GRR

To

1 The Municipal Commissioner, Sattenapalli Municipality, Sattenapalli, Guntur District.

2 The Director of Municipal Administration, Government of A.P., Hyderabad.

3 The District Collector, Guntur District, Guntur.

4 Two CCs to the G.P. for Municipal Administration, High Court Buildings, Hyderabad.

5 Two CD copies